

REMARKS/ ARGUMENTS**I. Introduction**

This amendment is submitted in response to the Final Office action dated January 28, 2004. Claim 39 was previously canceled. None of the claims have been amended in the current response. **Accordingly, claims 1-38 and 40 are now pending.**

In the Office Action the Examiner rejected the claims as being obvious under 35 U.S.C. §103 based on various combinations of references. In particular, claims 1 and 2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,018,568 to Furman et al. in view of U.S. Patent No. 5,835,570 to Wattenbarger. Claims 3-8 and 16-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Furman et al. in view of Wattenbarger in further view of U.S. Patent No. 5,991,364 to McAllister et al. Claims 9-15 and 20-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Furman in view of Wattenbarger in view of McAllister in further view of U.S. Patent No. 6,462,616 to Beswick et al. In addition, claims 1 and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Furman in view of Beswick.

Applicants will now address and overcome each of the Examiner's rejections after summarizing the invention.

II. Summary of the Invention

The present invention is directed to a speech recognition system that includes advanced subscriber records which include a significant amount of information, e.g., a corporate dialer identifier used to identify a corporate dialer which is to be used when a spoken name does not match any of the names in the subscriber's voice dialing record. The subscriber record may also include multiple names corresponding to a set of phone numbers, a set of multiple phone numbers

corresponding to a name and phone number identifiers, e.g., location identifiers, which are used in combination with a name to uniquely identify a phone number to be dialed.

By including a corporate dialer identifier in the subscriber record, and using the identified dialer when a spoken name is not matched to a name in the subscriber's voice dialing record, a hierarchal voice dialing system is provided where a subscriber's personal voice dialing record will supercede that of a corporate dialer but the corporate dialer will be consulted in cases where a name does not match the subscriber's personal voice dialing record. This feature is particularly beneficial for individuals who normally rely on a corporate voice dialer but would like to add additional names to the voice dialing system which are personal to the particular subscriber.

The advanced subscriber voice dialing records which include a corporate voice dialer identifier and the hierarchical voice dialing technique which uses a corporate voice dialer identifier stored in a subscriber's voice dialing record are not taught, disclosed, or suggested by the applied prior art references.

**III. The Rejection of Claims 1-2, 3-8, 9-15 and 20-38, 16-19
under 35 U.S.C. §103(a) and the Wattenbarger Patent**

Claims 1 and 2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Furman et al in view of Wattenbarger. Claims 3-8 and 16-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Furman et al, in view of Wattenbarger in further view of U.S. Patent No. 5,991,364 to McAllister et al. Claims 9-15 and 20-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Furman in view of Wattenbarger in view of McAllister in further view of U.S. Patent No. 6,462,616 to Beswick et al.

The interactive manner by which the voice directory assistance service is determined in the Wattenbarger patent during a call attempt from a user's reply to prompts for state and city information (see col. 5 lines 21-43) teaches away from using a stored corporate dialer identifier in the manner recited in claim 1 and various other claims. The other references applied by the Examiner do not show, teach or discuss the use of the claimed stored corporate dialer identifier and therefore the various cited combination of references used to reject the claims do not in any way anticipate or render obvious the pending claims.

As discussed above, various embodiments of the invention are directed to, e.g., voice dialing systems, where a data storage device is used to store voice dialing subscriber records. In accordance with the invention, **at least one of the voice dialing subscriber records includes a plurality of names, a telephone number being associated with each of said names, and a corporate dialer identifier which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call.**

Representative Claim 1 recites:

A voice dialing system for use with the Internet, the system comprising:

a data storage device for storing voice dialing subscriber records, **at least one of said voice dialing subscriber records including a plurality of names, a telephone number being associated with each of said names, and a corporate dialer identifier which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call;**

a first computer system for coupling a voice dialing subscriber to the Internet;

a second computer system coupled to the Internet, the second computer system including means for updating a voice dialing subscriber record in response to voice dialing information received from the subscriber via the Internet;

a telephone switch; and

means for generating a telephone number corresponding to speech coupled to the telephone switch, the second computer system, and the data storage device. (bold emphasis added)

In rejecting the claims, the Examiner relies on the Wattenbarger patent as disclosing **a corporate dialer identifier which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call.** The other references do not disclose this feature.

In the office Action, in rejecting claim 1, the Examiner acknowledges the deficiency of the Furman reference stating:

Furman does not disclose a corporate dialer identifier that identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call. However Wattenbarger disclosed this limitation (col. 2, lines 60-65). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Furman with the corporate dialer taught by Wattenbarger. This modification would for a subscriber voice dialing record to be updated as suggested by Wattenbarger. (Office Action, pages 3 and 4)

As noted in the previous response the Wattenbarger patent describes accessing a directory assistance service when a spoken voice label, e.g., name, is not contained within a subscriber's personal telephone list. **However, it does NOT teach, disclose or suggest storing a directory assistance service identifier let alone a corporate dialer identifier in a subscriber's personal telephone list or voice dialing subscriber record.**

Applicants previously requested that the Examiner elaborate on his rejection since it did not clearly match or allege that the particular claim elements had been shown. In particular Applicants requested that the Examiner:

- 1) identify what in the Wattenbarger patent the Examiner contends is "**a corporate dialer identifier**" as recited in pending claim 1 and where the Watenbarger patent describes the corporate identifier being stored in at least one of a plurality of voice dialing subscriber records where the record includes the content recited in claim 1.

In response the Examiner failed to specifically identify "**a corporate dialer identifier**" in the Watenbarger patent and further failed to identify where the patent describes the corporate identifier being stored in at least one of a plurality of voice dialing subscriber records where the record includes the content recited in claim 1.

In the Final Office Action the Examiner, under the heading "Response to Arguments", states:

With respect to claim 1, Applicant alleges Wattenbarger does not disclose storing a directory assistance identifier let along a corporate dialer identifier in a subscriber's personal telephone list. Examiner respectfully disagrees. According to Wattenbarger, when a spoken voice label is not contained in the AVL (24), the AVL identifies the need to use a Directory Service (col. 5, line 30). **This identification mechanism reads on the claimed corporate dialer identifier as presently claimed in the independent claims.** Therefore Wattenbarger teaches storing a directory

assistance service identifier in the subscriber's personal telephone list. (Office action page 15, bold added for emphasis)

Applicants understand the Examiner's current position to be that an "identification mechanism" of Wattenbarger which identifies the need to use a directory service corresponds to the claimed "corporate dialer identifier". The Examiner further seems to indicate that this "identification mechanism" is stored in the subscriber's personal telephone list.

Applicants respectfully submit that an "identification mechanism" used to determine if there is a need to use a Directory Service is not a corporate dialer identifier as asserted by the Examiner in the Office Action. In claim 1, a corporate dialer identifier "identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call". Furthermore, the Examiner has failed to identify anything in the Wattenbarger patent describing a directory assistance service identifier stored in a subscriber's personal telephone list, which the Examiner contends is the case.

As discussed in the previous response the summary portion of the Wattenbarger patent cited by the Examiner describes accessing a directory assistance service but does not explain how this is done. Col. 2, lines 60-65, which the Examiner cites, state:

... When the spoken voice label is not one of the voice labels stored in the memory, the controller retrieves from a directory assistance service database the telephone number associated with a party name label corresponding to the spoken voice label.

To understand how this occurs, it is necessary to review the detailed description which provides an example at Col. 5, lines 21-43:

The following example illustrates the situation when the spoken voice label is not contained in the subscriber's personal list in memory space 54. When the subscriber gains access to AVL 24, the subscriber is prompted by one of the plurality of voice response units 44 with "Whom would you like to call?" The subscriber might respond with the voice label "Pete Wilson," for example. Since, for this example, Pete Wilson is not contained in the subscriber's personal list, no match is found and AVL 24 responds, "<Pete Wilson> is not on your list. **Would you like Directory Service?**", where the voice label appearing within < > is a playback of the recorded utterance of the voice label by the subscriber. For this example, the subscriber replies "Yes". AVL 24 then prompts with "What state, please?" The subscriber responds "California." AVL 24 continues with "What city?" The subscriber replies with "Sacramento." AVL 24 follows with "Please hold."

At this point, the directory services for Sacramento, Calif. is called by AVL 24 and the telephone number for "<Pete Wilson>" is requested from the directory service. **If no unique listing were given, the subscriber is connected to a directory service operator for any necessary interaction for identifying the correct Pete Wilson.** When the correct listing is found, AVL system 24 captures the telephone number using automatic speech recognition processing for the automatic number report, if necessary, and prompts the subscriber with "Calling <Pete Wilson>. Say 'cancel' to cancel. (Bold added for emphasis)

Note that the directory assistance service which is contacted is identified based on the user's reply to prompts for state and city information which are presented to the user after the label can not be identified.

Applicants respectfully submit that prompting the user for information identifying a directory assistance service at the time of making a call clearly teaches away from STORING a corporate dialer identifier in the subscriber's record which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected by the voice dialing system in received speech.

Notably, nothing in the cited portion of the Wattenbarger patent describes a voice dialing subscriber record including:

a corporate dialer identifier which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call.

In fact, as discussed above, the interactive manner by which the voice directory assistance service is determined in the Wattenbarger patent during a call attempt from a user's reply to prompts for state and city information teaches away from using a stored corporate dialer identifier in the manner recited in claim 1.

The other references applied by the Examiner do not show, teach or discuss the use of the claimed stored corporate dialer identifier.

In view of the above discussion, and the Examiner's failure to specifically identify in the Wattenbarger patent any expected reference to a corporate dialer identifier being stored in a voice dialing subscriber record, it is respectfully submitted that the rejection of the pending claims based on the Wattenbarger patent should be withdrawn.

**IV. Claims 1 and 40 are Patentable over the
Combination of Furman and Beswick**

In the Final Office Action the Examiner issued a new rejection of claims 1 and 40 based on the previously applied Furman and Beswick patents.

With regard to Claims 1 and 40 the Examiner once again acknowledged Furman's deficiencies stating:

Furman does not disclose a corporate dialer identifier that identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call. **However Beswick**

discloses this limitation (col. 7, lines 46-52). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Furman with the corporate dialer taught by Beswick. This modification allows for the use of aliases as suggested by Beswick. (Office Action pages 14-15, bold added)

Notably, nothing in the cited portion of the Beswick patent describes:

a corporate dialer identifier which identifies a corporate dialer to be used in the event that a name included in the subscriber's record is not detected in speech received in regard to a voice dialing call.

The portion of the Beswick patent cited by the Examiner as disclosing a corporate dialer identifier of the type claimed, i.e., Col. 7 lines 46-57, states:

By way of example, the user might input "I need a doctor". This phrase or portions thereof can be entered into alias field 506, for example, during set-up, for a contact by the name of "Dr. Smith". As such, application 218 can be configured to analyze all, or a portion of, the voice command and interpret the command as requesting Dr. Smith.

Referring now to FIG. 7, an exemplary display 700 as generated by GUI 308 is depicted. Contacts database 300, or a portion of the data therein, can be viewed and manipulated by the user through GUI 308, input device 212 and output device 214. (Col. 7, lines 46-57)

While Fig. 7 of the Beswick et al. patent shows, within a user's contact database, a column titled "Company" **there is nothing to indicate that this is anything more than a listing which identifies a company with which a named person in the user's contact database is associated. The "company" identifier varies from listed person to listed person within the user contact database and thus teaches away from the listing being a corporate dialer identifier to be used in the event a name is not recognized. This teaches away because it would be necessary to recognize a name in the user contact database to determine which "company" the name is associated with.**

The other references applied by the Examiner do not show, teach or discuss the use of the claimed corporate dialer identifier. Accordingly, claim 1 and claim 40 are patentable over the applied references.

V. Request For Clarification

If the Examiner persists in any of the rejections, it is respectfully requested that the Examiner provide further clarification because Applicants are still unable to find elements recited in the claims in the portions of the references cited by the Examiner. Applicants request that answers to the following questions include specific line, page and element number cites to the patents being used by the Examiner to reject the claims so that there is no ambiguity regarding the Examiner's position.

In particular, if the Examiner persists or issues any new rejections based on the Wattenbarger patent, it is requested that the Examiner identify with regard to exemplary claim 1:

1) What element, stored in a data storage device, in the Wattenbarger patent does the Examiner contend is a voice dialing subscriber record and where is this element described in the patent?

2) Within the element that the Examiner contends is a voice dialing subscriber record, what element does the Examiner contend is a corporate dialer identifier and where is this element described as being included in the element identified in response to item 1? Applicants note that the Examiner has not identified or shown "a corporate dialer identifier" element stored within the dialing directory described in the Wattenbarger patent.

3) With respect to the corporate dialer identifier element identified in response to question 2, where in the Watenbarger patent is it described as being used in the event that a name included in the subscriber's record (the element identified in response to question 1) is not detected in speech received in regard to a voice dialing call?

4) If the Examiner relies on some form of inherency argument, Applicants respectfully still request that the Examiner explain what he contends is the corporate dialer identifier, give an example and then explain why it must be included in the element identified in response to question 1.

If the Examiner persists with these rejections, or issues any new rejections based on the Beswick patent, it is requested that the Examiner identify with regard to exemplary claim 1, specific elements in the patent which the Examiner asserts match the elements of the claim. Citing a portion of the patent text without matching the patent elements to the claim language makes it difficult for Applicants to respond since they do not know what particular elements in the Beswick patent the Examiner is relying on to reject the claims.

In particular:

1) What element, stored in a data storage device, in the Beswick patent does the Examiner contend is a voice dialing subscriber record and where is this element described in the patent?

2) Within the element that the Examiner contends is a voice dialing subscriber record, what element does the Examiner contend is a corporate dialer identifier and where is this element described as being included in the element identified in response to item 1? Applicants note that the Examiner has not identified or shown "a corporate dialer identifier".

3) Where in the Beswick patent is the corporate dialer identifier element (that was identified in response to question 2) described as being used, in the event that a name included in the subscriber's record (the element identified in response to question 1), is not detected in speech received in regard to a voice dialing call? Applicants note that they can not find any mention of the corporate names shown in Fig. 7 being used in the event a name is not recognized or any indication that the names identify a corporate dialer.

4) If the Examiner relies on some form of inherency argument, Applicants respectfully still request that the Examiner explain what he contends is the corporate dialer identifier and give an example of how the Examiner contends it is used in the Beswick patent.

5) If the Examiner contends that the corporate names shown in the Fig. 7 illustration in Beswick of a user contact database are corporate dialer identifiers, then where is this described in the patent and how does Beswick determine which one to use without detecting a name?

VI. Conclusion

In view of the foregoing remarks, the applicants respectfully submit that the pending claims are allowable over the cited references and are in condition for allowance. Reconsideration and allowance are respectfully requested. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any fees necessary, including the fee for such petition, to deposit account number 07-2347. Accordingly, the applicants request that the Examiner pass this application to issue.

Respectfully submitted,

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April 23, 2004
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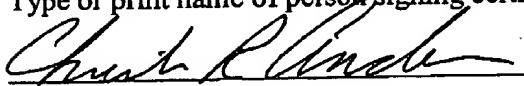
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